

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TASER INTERNATIONAL, INC.,
et al.,

Plaintiffs,
v.
MORGAN STANLEY & CO., INC.,
et al.,

Defendants.

Civil Case No.
1:10-CV-03108-JEC

**DECLARATION
OF BRAD ELIAS**

I, BRAD M. ELIAS, declare as follows:

1. I am an associate at the law firm of O'Melveny & Myers LLP ("OMM"), counsel for Merrill Lynch Professional Clearing Corp. ("ML Pro") in this matter. I submit this declaration in support of Defendant Merrill Lynch Professional Clearing Corp.'s Motion to Stay Non-Jurisdictional Discovery. I have personal knowledge of the facts recited herein except as otherwise indicated and if called to testify concerning them under oath, I could and would competently testify thereto.

2. Attached to this declaration as Exhibit 1 is a true and correct copy of Plaintiffs' Reserved First Document Requests to Defendant Merrill Lynch Professional Clearing Corporation, served on October 26, 2010.

3. Attached to this declaration as Exhibit 2 is a true and correct copy of Plaintiffs [*sic*] Taser International's First Interrogatories to Defendant Merrill Lynch Professional Clearing Corporation, served on October 26, 2010.

4. Attached to this declaration as Exhibit 3 is a true and correct copy of the February 10, 2010 Order of the State Court of Fulton County, Georgia, Case No. 2008-EV-004739.

5. Attached to this declaration as Exhibit 4 is a true and correct copy of Plaintiffs' Second Requests for Production to Defendant Merrill Lynch Professional Clearing Corporation, served on November 1, 2010.

6. Attached to this declaration as Exhibit 5 is a true and correct copy of Plaintiffs' First Requests for Admission to Defendant Merrill Lynch Professional Clearing Corporation, served on November 1, 2010.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 12th day of November, 2010 in New York, New York.

/s/ Brad M. Elias
Brad M. Elias

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CIVIL ACTION NUMBER:
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CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2010, I caused a copy of the foregoing **DECLARATION OF BRAD ELIAS** to be filed with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following attorneys of record:

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and that I have caused a copy to be served by U.S. Mail on the following attorneys of record:

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